

Filed for intro on 01/31/2001

HOUSE BILL 205

By Arriola

AN ACT to amend Tennessee Code Annotated, Title 55 and Title 56, relative to financial responsibility of owners or operators of motor vehicles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 12, Part 1, is amended by adding a new section thereto, as follows:

Section 55-12-139. (a) At the time the driver of a vehicle is charged of the offense of driving under the influence, reckless driving, driving while unlicensed, driving on a suspended or revoked license, driving an unregistered vehicle, driving a vehicle with revoked registration, failing to stop after a traffic accident, refusing to submit to a drug or alcohol test, vehicular homicide, failure to satisfy a citation or a forfeiture of bail not vacated, driving a motor vehicle in excess of ten (10) miles over the posted speed limit, or failure to pay a fine or penalty to a violations bureau for any of the above offenses, the driver shall provide proof of financial responsibility as required by this chapter. For the purposes of this section, financial responsibility shall mean that:

(1) The owner of the motor vehicle used at the time of the accident or violation had an automobile liability policy or bond applicable to the vehicle then used;

(2) The operator was then covered by any other form of liability policy or bond or had qualified as a self-insurer under § 55-12-111; or

(3) The motor vehicle being operated at the time of the accident or violation was owned by a carrier subject to the jurisdiction of the department of safety or the interstate commerce commission, or was owned by the United States, this state or any political subdivision thereof, and that such motor vehicle was being operated with the owner's consent.

(b) Failure to provide proof of financial responsibility pursuant to this section is a Class C misdemeanor, punishable only by a fine of fifty dollars (\$50.00). Second and subsequent offenses are Class B misdemeanors, punishable only by a fine of one hundred dollars (\$100).

(c) The fines imposed by this section shall be in addition to any other fines imposed by Title 55 for any other violation under such title.

SECTION 2. Tennessee Code Annotated, Section 55-10-303, is amended in subsection (a) by deleting the language “and Parts 1-5 of this chapter” and by substituting instead the language “, Parts 1-5 of this chapter, and Section 1 of this act”.

SECTION 3. Tennessee Code Annotated, Section 55-10-304, is amended by deleting the language “and Parts 1-5 of this chapter” and by substituting instead the language “, Parts 1-5 of this chapter, and Section 1 of this act”.

SECTION 4. Tennessee Code Annotated, Section 55-10-305, is amended by deleting the language “and Parts 1-5 of this chapter” wherever it may be found and by substituting instead the language “, Parts 1-5 of this chapter, and Section 1 of this act”.

SECTION 5. Tennessee Code Annotated, Section 55-10-306, is amended in subsection (b)(1) by deleting the language “and Parts 1-5 of this chapter” and by substituting instead the language “, Parts 1-5 of this chapter, and Section 1 of this act”.

SECTION 6. Tennessee Code Annotated, Section 55-10-307(a), is amended by deleting the language “and 55-50-312, and may by ordinance” and by substituting instead the language “, 55-50-312, and Section 1 of this act, and may by ordinance”.

SECTION 7. Tennessee Code Annotated, Section 55-10-310, is amended by deleting the language “and Parts 1-5 of this chapter” and by substituting instead the language “, Parts 1-5 of this chapter, and Section 1 of this act”.

SECTION 8. This act shall take effect July 1, 2001, the public welfare requiring it.